

## REMARKS

Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

In the pending Office Action, the Examiner rejected claims 1-20, under 35 U.S.C. §102(e), as allegedly being anticipated by Arora '263 (U.S. Pub. No. 2004/0086263). The Examiner also objected to claims 15-16 for minor informalities.

By this Amendment, claims 1 and 14-17 have been amended to provide a clearer presentation of the claimed subject matter and to correct minor informalities. No new matter has been added. Accordingly, claims 1-20 are currently submitted for examination, of which claims 1, 14, and 17 are independent. Applicant requests the immediate withdrawal of the objection to claims 15-16.

Applicant respectfully traverse the rejections, under §102(e), for the following reasons:

### I. Rejections Under §102(e).

As indicated above, amended claim 1 positively recites, *inter alia*, operating if two consecutive recording operations are set in the reservation information retaining means, comparing the recording conditions for the two recording operations, and if of the recording conditions, *a condition (channel) for an input to the input means differs between the two recording operations, pausing the recording when the earlier recording is ended, and when the condition for the input to the input means changes, starting the second reading after recording an identifier that can identify the earlier first recording and the succeeding second recording, in a predetermined area of the recording medium.* These features are amply supported by the various embodiments disclosed throughout the written description. (See, e.g., Originally-Filed Specification: page 18, line 27 – page 21, line 8; FIG. 8).

Applicant submits that Arora '263 fails to teach or suggest each and every element of claim 1, including the features noted above. In particular, Arora '263 discloses a monitoring

application, program monitor **135**, that tracks information about each of the different programs stored in the recorded stream **325**. The program monitor **135** detects programming changes in the video stream being recorded as recorded stream **325**. The changes detected can include changes in a selected channel and changes in the name or description of the current program or when a new signal input is used for generating the video stream, such as switching to a different video source, or video demodulator. In one embodiment, the program monitor **135** monitors the title of the current program being recorded to determine if a change in programming has occurred or identifies the current program being recorded by matching a current channel selected by a user to the virtual channel table **314** and the event information table **313** to identify the title of the program scheduled for that channel at the current time. (See, Arora '263: par. [0030]).

Despite these comprehensive disclosures, there is simply nothing in Arora '263 that remotely discloses or suggests a *condition (channel) for an input to the input means differs between the two recording operations, pausing the recording when the earlier recording is ended, and when the condition for the input to the input means changes, starting the second reading after recording an identifier that can identify the earlier first recording and the succeeding second recording*, as required by claim 1.

Thus, for at least these reasons, Applicant submits that Arora '263 is incapable of anticipating claim 1 or, for that matter, rendering claim 1 unpatentable. As such, claim 1 is clearly patentable. And, because claims 2-13 depend from claim 1, claims 2-13 are patentable at least by virtue of dependency as well as for their additional recitations.

Moreover, independent claims 14 and 17 recite similar patentable features as claim 1 and are, therefore, patentable for at least the reasons advanced relative to claim 1 in addition to their other recitations. Finally, because claims 15-16 and claims 18-20 depend from claims 14 and 17, respectively, claims 15-16 and claims 18-20 are patentable at least by virtue of dependency as well as for their additional recitations.

## II. Conclusion.

All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 03-3975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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